

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MARILYN YVETTE COOK,  
Plaintiff,  
v.  
SACRAMENTO COUNTY, et al.,  
Defendants.

No. 2:21-CV-0893-DMC-P

**ORDER**

Plaintiff, an inmate proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion, ECF No. 6, captioned "Motion for Summary Judgment and/or Jury Trial," which the Court construes as a request for entry of Defendants' defaults.

In his motion, Plaintiff states that he received two responses to his complaint from the Sacramento County Sheriff's Office, one on June 25, 2021, and the other on July 14, 2021. Both are attached to Plaintiff's motion. Plaintiff argues that these responses fail to adequately answer his complaint in this case and that he is now entitled to summary judgment in his favor.

Plaintiff's motion is construed as a request for entry of Defendants' defaults for failure to respond to his complaint. So construed, the motion is denied because the Court has not yet determined that the action is appropriate for service or set any deadline by which Defendants must respond. The two documents attached to Plaintiff's motion are not pleadings which were or

1 should have been filed with the Court. Instead, they are both letters informally rejecting  
2 Plaintiff's claims following agency administrative review. Neither has been separately filed with  
3 the Court.

4 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion, ECF No. 6, is  
5 construed as a motion for entry of default and, so construed, is denied.

6  
7 Dated: October 13, 2021

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE